

IN THE CLAIMS (Marked-up Version of the Claims):

Please amend the claims as follows:

- 1 6. (Three Times Amended) A method of billing a call to a predetermined telephone line
2 wherein a user initiates the call from a calling party to a called party through a service,
3 comprising the following steps:
4 a. conveying data from the service to a control point, wherein the data indicates the
5 predetermined telephone line, and the called party, and the calling party;
6 b. temporarily routing the call to a switch associated with the predetermined
7 telephone line;
8 c. forming a new call originating from the calling party and terminating at the called
9 party;
10 d. storing billing information related to the new call in the switch associated with the
11 predetermined telephone line in response to a signal initiated by the service
12 [temporarily routing the call to the switch]; and
13 e. automatically billing the new call to the predetermined telephone line using the
14 stored billing information.

R E M A R K S

Applicants respectfully request further examination and reconsideration in view of the amendments above and the arguments set forth fully below. Claims 1-4 and 6-24 were previously pending in this application. Claims 1-4 and 6-24 are rejected. By the above amendments, Claim 6 is amended. Accordingly, Claims 1-4 and 6-24 are now pending in this application.

Rejections Under 35 U.S.C. § 103

Within the Office Action, Claims 6-12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,160,877 issued to Tatchell et al. (hereinafter “Tatchell”) in view of U.S. Patent No. 5,339,352 issued to Armstrong et al. (hereinafter “Armstrong”). The Applicants respectfully traverse this rejection.

Tatchell teaches a subscriber interface operating as a Personal Agent that enables a subscriber to access and activate telephone network services. Specifically, Tatchell teaches a Personal Agent processor 11 coupled to a telephone switching center 10 for providing the subscriber with call management services (Tatchell, col. 6, lines 59-67). Within the Office Action it is stated that Tatchell suggests that the call management services provided by the Personal Agent processor 11 are provided on a monthly or per-call basis and passwords are required for calls that required toll charges. However, nowhere does Tatchell teach or even suggest the specifics of any type of billing process associated with the use of the call management services. Since the call management services are managed by the Personal Agent processor 11, it follows that the Personal Agent processor 11 also tracks the particulars associated with the use of the call management services for billing purposes. As the telephone switching center 10 of Tatchell provides basic telecommunications switching and routing functionality, it also follows that the telephone switching center 10 tracks and records the call duration and start time of the call being routed. As such, Tatchell teaches a system in which a switch (the telephone switching center 10) tracks and records call duration and time of a specific telephone call, and a separate service (the personal agent process 11) tracks and records service features associated with a service used with the specific telephone call. Such a process and configuration is indicative of a conventional match and merge billing system. Conventional

match and merge billing systems include limitations that the present invention is specifically designed to overcome.

It is acknowledged within the Office Action that Tatchell does not clearly suggest a switch coupled to a predetermined telephone line configured to store information in response to a triggering event (present application, Claim 1, element b), wherein the billing information corresponding to the incoming call is stored in the switch and the stored billing information is used to charge the predetermined telephone line (present application, Claim 1, element c).

Within the Office Action, it is stated that Armstrong teaches a directory assistance call completion platform (OSS switch) for connecting the call to the called party and to generate and store billing information corresponding to the incoming call. As stated in the Office Action, these teachings of Armstrong, as applied to the system of Tatchell, provide appropriate billing of the call according to the aforementioned limitations of the present claims. The Applicants respectfully disagree with this conclusion.

Armstrong teaches a system and method of providing directory assistance call completion to subscribers (callers) and call processing procedures which facilitate billing charges incurred by the directory assistance call completion (DACC) services provided to the subscriber (Armstrong, col. 2, lines 48-57). Armstrong teaches an operator service system (OSS) including an OSS switch. All billing is performed at the OSS switch; specifically, the OSS records the charge for the Directory Assistance call, the DACC surcharge and also the charge for the landline portion of the completed call (Armstrong, col. 5, lines 37-42).

If the OSS switch of Armstrong is combined with the system of Tatchell to store billing information associated with an incoming call, as proposed within the Office Action, then it is necessary that the services provided by the Personal Agent processor 11 of Tatchell are billed by the OSS switch of Armstrong. However, the present claims are amended to clarify that a switch stores billing information in response to a triggering event, where the triggering event is activated in response to an appropriate signal from a service. Therefore, it is also necessary that the OSS switch of Armstrong store the billing information in response to a triggering event, where the triggering event is activated in response to a received signal from the Personal Agent processor 11. However, there is no hint, teaching, or suggestion within Tatchell as to how the services provided by the Personal Agent processor 11 would signal a switch, particularly the switch of Armstrong, to generate and store the billing information. More specifically, there is no

hint, teaching, or suggestion within Tatchell to indicate that the Personal Agent processor 11 can send a signal to the switching center 10 that activates a triggering event to store billing information. If the switch of Armstrong is to replace the switching center 10, as proposed within the Office Action, then the switch of Armstrong still would need to receive a signal from the Personal Agent processor 11 in order to activate the triggering event. Tatchell is silent as to any means for providing a signal from the Personal Agent processor 11 to a switch in order to activate a triggering event for billing within the switch.

In contrast to the teachings of Tatchell, Armstrong and their combination, the billing system of the present invention provides a switch, a control point and a service where the control point is configured to receive a signal from the service and in response thereto activate a triggering event to store billing information in the switch. Specifically, a signal control point is configured to send and receive control signals over an Intelligent Network to trigger a switch associated with a predetermined telephone line. The signal control point triggers the switch in response to receiving call particulars associated with a current call. Once triggered, the switch stores billing information associated with the call being made by a calling party through the service. The signal control point also enables the transfer of the call from the service to a called party thus connecting the calling party to the called party. There is no hint, teaching or suggestion within Tatchell to indicate either how the Personal Agent processor 11 would provide signaling to activate the triggering event, or even if the Personal Agent processor 11 can provide signaling to activate the triggering event.

Amended Claim 6 teaches a method of billing a call to a predetermined telephone line wherein a user initiates the call from a calling party to a called party through a service. The method includes conveying data from the service to a control point, wherein the data indicates the predetermined telephone line, and the called party, and the calling party, temporarily routing the call to a switch associated with the predetermined telephone line, forming a new call originating from the calling party and terminating at the called party, storing billing information related to the new call in the switch associated with the predetermined telephone line in response to a signal initiated by the service, and automatically billing the new call to the predetermined telephone line using the stored billing information. As discussed above, there is no hint, teaching or suggestion to indicate either how the service provided by Tatchell would provide signaling to activate the triggering event, or even if the service can provide signaling to activate the triggering

event. For at least these reasons, the Applicants respectfully submit that the subject matter of the independent Claim 1 is allowable over the teachings of Tatchell, Armstrong and their combination and as such is an allowable base claim.

Claims 7-12 are each dependent upon the independent Claim 1. As discussed above, Claim 1 is allowable over the teachings of Tatchell, Armstrong and their combination.

Accordingly, Claims 7-12 are each also allowable as being dependent upon an allowable base claim.

Within the Office Action, Claims 1-4, 13-20 and 21-24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Tatchell in view of Armstrong and further in view of U.S. Patent No. 6,381,325 issued to Hanson. The Applicants respectfully traverse this rejection.

Hansen teaches a directory assistance process in which a call for directory assistance is routed to a call management platform 50 via a switch 24. The call management platform 50 is directly coupled to the switch 24 and resides in close proximity or on-site with the switch 24 (Hansen, col. 3, lines 48-50). A call is then placed to a directory assistance service provider 20 through the switch 24, where a caller is prompted to locate a destination telephone number. The call management platform 50 receives the destination number from the directory assistance service provider 20 and provides the destination number to the caller as part of a voice announcement. The voice announcement also informs the caller that a call to the destination number can be placed automatically for a fee if the caller stays on the line. If after a predetermined period of time the call is not disconnected, then the call management platform 50 connects the caller to the destination number. A data record and/or billing record is generated to bill for the directory assistance call and the automatic connection to the destination number (Hansen, col. 4, lines 15-29).

It is acknowledged within the Office Action that Tatchell does not suggest that the control point is configured to activate in response to receiving an appropriate signal from the service. However, it is stated in the Office Action that Hansen teaches means for providing directory assistance services wherein call data record and/or billing record is generated for directory assistance call and the automatic connection to the destination number, and by incorporating these teachings of Hanson into Tatchell and Armstrong, a billing record for each call made through the “service platform” is generated. The Applicants respectfully disagree with

this conclusion.

Although the Applicants do not believe that "the service" provided by the present invention is the same as the call management platform 50 of Hansen, for comparison purposes, the service as claimed in the present invention is most closely compared to the call management platform 50 of Hansen in that the call management platform 50 is a service, and that the call management platform 50 receives an incoming call (where the incoming call requests directory assistance from a service different than the call management platform 50) via a switch, and initiates an outgoing call (to the destination number provided by the directory assistance service). To further the comparison, if the call management platform 50 is acting as "the service" of the present invention, as suggested in the Office Action, then the call management platform 50 would have to provide an appropriate signal to trigger the storing of billing information by a switch, as claimed in the independent claims 1, 6, and 13 of the present application. However, the call management platform 50 does not provide a signal to trigger billing, but instead, receives a signal from a different service, the directory assistance service, such that the call management platform 50 generates the billing record in response to receiving this signal. However, the service of the present invention provides signaling to another device. Therefore, the signaling necessary for billing, as taught by Hansen, is reversed compared to the signaling performed by the present invention. Therefore, if the teachings of Hansen are incorporated into Tatchell in view of Armstrong, then the resulting system does not provide the same billing system as claimed.

Claim 1 teaches a billing system that includes a service, a switch, and a control point, where the control point is configured to activate the triggering event in response to receiving an appropriate signal from the service. The switch is configured to store billing information in response to a triggering event. The control point is configured to activate the triggering event in response to receiving an appropriate signal from the service and to transfer an incoming call from the service to a called party. The billing information stored in the switch is the billing information corresponding to the incoming call. The stored billing information is used to charge a predetermined telephone line. As discussed above, there is no hint, teaching or suggestion to indicate either how the service provided by Tatchell would provide signaling to activate the triggering event, or even if the service can provide signaling to activate the triggering event. Further, Hansen teaches signaling that is reversed in comparison to the signaling performed by

the present invention. Therefore, if the teachings of Hansen are incorporated into Tatchell in view of Armstrong, then the resulting system does not provide the same billing system as claimed. For at least these reasons, the Applicants respectfully submit that the subject matter of the independent Claim 1 is allowable over the teachings of Tatchell, Armstrong, Hansen and their combination and as such is an allowable base claim.

Claims 2-4 and 18-22 are each dependent upon the independent Claim 1. As discussed above, Claim 1 is allowable over the teachings of Tatchell, Armstrong, Hansen and their combination. Accordingly, Claims 2-4 and 18-22 are each also allowable as being dependent upon an allowable base claim.

Amended Claim 6 teaches a method of billing a call to a predetermined telephone line wherein a user initiates the call from a calling party to a called party through a service. The method includes conveying data from the service to a control point, wherein the data indicates the predetermined telephone line, and the called party, and the calling party, temporarily routing the call to a switch associated with the predetermined telephone line, forming a new call originating from the calling party and terminating at the called party, storing billing information related to the new call in the switch associated with the predetermined telephone line in response to a signal initiated by the service, and automatically billing the new call to the predetermined telephone line using the stored billing information. As discussed above, there is no hint, teaching or suggestion to indicate either how the service provided by Tatchell would provide signaling to activate the triggering event, or even if the service can provide signaling to activate the triggering event. Further, Hansen teaches signaling that is reversed in comparison to the signaling performed by the present invention. Therefore, if the teachings of Hansen are incorporated into Tatchell in view of Armstrong, then the resulting system does not provide the same billing system as claimed. For at least these reasons, the Applicants respectfully submit that the subject matter of the independent Claim 6 is allowable over the teachings of Tatchell, Armstrong, Hansen and their combination and as such is an allowable base claim.

Claims 7-12 are each dependent upon the independent Claim 6. As discussed above, Claim 6 is allowable over the teachings of Tatchell, Armstrong, Hansen and their combination. Accordingly, Claims 7-12 are each also allowable as being dependent upon an allowable base claim.

Claim 13 teaches a method of billing a call to a predetermined telephone line wherein a

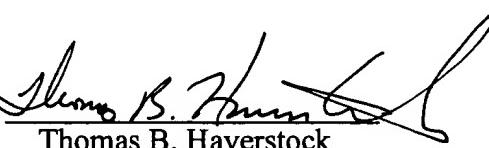
user initiates the call through a service from a calling party to a called party. The method includes conveying call data from the service to a control point wherein the control point is coupled to the calling party, the predetermined telephone line, and the called party, terminating the call to the service, forming a new call to link the calling party to the called party, storing billing information related to the new call on a switch associated with the predetermined telephone line in response to a signal initiated by the service, and automatically billing the new call to the predetermined telephone line using the stored billing information. As discussed above, there is no hint, teaching or suggestion to indicate either how the service provided by Tatchell would provide signaling to activate the triggering event, or even if the service can provide signaling to activate the triggering event. Further, Hansen teaches signaling that is reversed in comparison to the signaling performed by the present invention. Therefore, if the teachings of Hansen are incorporated into Tatchell in view of Armstrong, then the resulting system does not provide the same billing system as claimed. For at least these reasons, the Applicants respectfully submit that the subject matter of the independent Claim 6 is allowable over the teachings of Tatchell, Armstrong, Hansen and their combination and as such is an allowable base claim.

Claims 14-17 and 23-24 are each dependent upon the independent Claim 13. As discussed above, Claim 13 is allowable over the teachings of Tatchell, Armstrong, Hansen and their combination. Accordingly, Claims 14-17 and 23-24 are each also allowable as being dependent upon an allowable base claim.

For at least the reasons given above, Applicants respectfully submit that all of the claims are in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, he is encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,
HAVERSTOCK & OWENS LLP

Dated: 4-2-05

By: 
Thomas B. Haverstock
Reg. No. 32,571
Attorneys for Applicants